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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,952	04/12/2001	Toshiaki Ueguri	862.C2197	9892

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EXAMINER
VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
2178	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/27/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	09/832,952	UEGURI ET AL.
	Examiner	Art Unit	
	Gregory J. Vaughn	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 October 2006*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *9-11,13-15,34-42 and 52-57* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *9-11, 13-15, 34-42 and 52-57* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). ·

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Action Background

1.   This action is responsive to the applicant's Request for Continued Examination filed on 10/16/2006.

2.   Applicant has amended claims 9, 11, 13, 15, 34, 36, 39, 41, 52 and 53.

3.   Claims 9-11, 13-15, 34-42 and 52-57 are pending in the case, claims 9, 13, 34, and 39 are independent claims.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> *"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made."*

5.   Claims 9-11, 13-15, 34-42 and 52-57 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Levac et al. US Patent 6,034,970, filed 7/2/1997, patented 3/7/2000 (hereinafter Levac) in view of Whitledge et al., US Patent 6,925,595, filed 8/5/1998, patented 8/2/2005 (hereinafter Whitledge).

6.   **Regarding independent claim 9**, Levac discloses a server in Figure 2 at reference sign 28 (shown as "*Message Server*"). Levac discloses a detection unit for detecting new text inserted in a web page. Levac recites: "*The data acquisition program may include a Web scanning program, which is configured to monitor one or more Internet Web sites that are of interest to a designated message recipient. Upon detection of a modification to the information content of the Web site, the data acquisition program can update the variable value in the message template with information providing a notification of the modification*" (column 10, lines 54-61). Levac also discloses converting the text to phonetic character strings. Levac recites: "*As illustrated in FIG. 5, system 10 preferably includes various other types of protocol converters 24a-n that convert messages and variable data to protocols, such as are compatible with fax machines, e-mail systems, HTML files, audio devices (audio.wav)*" (column 7, lines 49-53).

Levac further discloses transmitting a character string representing the text to a registered user. Levac recites: "*The data acquisition program can then convey the updated message template through automated source interface 22. The notification can simply be a communication alerting the message recipient of the modification (e.g., "www.xxx.com was updated on 1/1/97"), or can include a portion of the modified information content, such as new text*" (column 10 lines 61-67).

Levac discloses deleting. Levac recites: "*In addition to routing messages to protocol converters 24a-n, message server 14 also transmits server*

commands, such as the activate message command discussed previously. Other server commands can include a "delete message" command and a "delete all messages" command" (column 9, lines 25-29). A message could be deleted by Levac's invention in order to avoid converting the message to synthetic speech. Levac fails to disclose deleting registered character strings from a web page based upon character strings registered in a predetermined file.

Whitledge teaches deleting registered character strings from a web page based upon character strings registered in a predetermined file. Whitledge disclose consulting a preference file where predetermined conversion preferences are stored. Whitledge recites: *"At Step 26, the content converter 16 consults the database 18 to obtain conversion preferences (e.g., conversion preferences to convert the original electronic document requested by the first network device 12 into a converted electronic document for the first network device 12). The conversion preferences can include any of user-preferences, device-conversion preferences, site-specific conversion preferences, or other preferences for content conversion"* (column 8, lines 5-13).

Whitledge's conversion process is embodied as a metadata object, wherein the metadata object includes delete capabilities on text based on stored text. Whitledge recites: *"In an exemplary preferred embodiment of the present invention, a metadata object is a C++ object that conveys information such as request/response headers, conversion preferences and other*

information about a "databody" stored in a datapipe object. The datapipe object is also a C++ object. However, metadata objects and datapipe objects other than C++ objects could also be used. A databody is electronic document content such as hypertext markup languages (e.g., SGML, HTML, XML, VRML, etc.), text, graphical data, or graphics, animation, audio, video or other content that is stored in a datapipe object" (column 10, lines 33-44).

Whitledge discloses the C++ object with delete capabilities in Table 1 (see column 11) where the sample code shown for the CCMetaData object includes a delete process. Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to combine the text deletion capabilities of Whitledge with the intelligent messaging system of Levac in order to provide *"a method and system for converting the content of electronic data for a desired network device"* (Whitledge, column 1, lines 18-19).

7.   **Regarding dependent claim 10**, Levac discloses transmitted text that includes a title of the web page with the text of the web page. Levac recites: *"Preferably, the .msa file created by message file generator 23 may incorporate, and in some · instances must incorporate, the following information: 1. OWNER: identifies the user who created the file; consists of the length of the user's name followed by the user's name; required stream. 2. FILENAME: identifies the name the file was saved as by the user; consists of the length of the FILENAME followed by the FILENAME; required stream. 3. FILETYPE: identifies the format (for example, .wav or .msw) of the actual message as generated embedded within the .msa file; consists of the length*

of the FILETYPE followed by the FILETYPE; required stream. 4. DATA:

contains the message and associated components, such as text characters or

control codes, in the format defined by the FILETYPE stream; consists of the

length of the DATA array followed by the DATA array; required stream"

(column 4, lines 48-67), (compare *"title"* with *"File Name"* and *"text"* with

"Data").

8.   **Regarding dependent claim 11**, Levac discloses the transmission of a

creation date with the text. Levac recites: *"Message file generator 23 embeds*

the actual message in the .msa file together with primary data streams

specifying essential message parameters, such as date, time" (column 4,

lines 39-42).

9.   **Regarding claims 13-15**, the claims are directed toward a method for the

apparatus of claims 9-11, respectively, and are rejected using the same

rationale.

10.   **Regarding independent claim 34**, Levac discloses a reception unit for

receiving new text inserted in a web page. Levac recites: *""The data*

acquisition program can then convey the updated message template through

automated source interface 22. The notification can simply be a

communication alerting the message recipient of the modification (e.g.,

"www.xxx.com was updated on 1/1/97"), or can include a portion of the

modified information content, such as new text" (column 10 lines 61-67).

Levac also discloses converting the new text to synthetic speech. Levac recites: "*As illustrated in FIG. 5, system 10 preferably includes various other types of protocol converters 24a-n that convert messages and variable data to protocols, such as are compatible with fax machines, e-mail systems, HTML files, audio devices (audio.wav)*" (column 7, lines 49-53).

Levac further discloses a speech output means in Figure 5 at reference sign 18h (shown as "*Speakers*").

Levac and Whitledge disclose the detection unit, deleting unit, conversion unit, and transmission unit as described in the rejection of claim 9 described above.

11. **Regarding dependent claim 35,** the claim contains substantially the same subject matter as claim 10, and is rejected using the same rationale.

12. **Regarding dependent claim 36,** the claim contains substantially the same subject matter as claim 11, and is rejected using the same rationale.

13. **Regarding dependent claims 37,** Levac discloses outputting a predetermined sound prior to outputting the synthetic speech. Levac recites: "*The mailbox notifies the user that a new message has been received*" (column 1, lines 34-35).

14. **Regarding dependent claims 38,** Levac discloses a computer and a telephone system. Levac recites: "*Accordingly, a message generated by a source (e.g., an individual or user, a real-time data source, a sensor or other*

software applications or hardware devices) can be automatically conveyed to diverse communication devices, such as networked personal computers, message marquees (e.g., large character displays), telephone systems" (column 3, lines 49-55).

15. **Regarding claims 39-42**, the claims are directed toward a method for the apparatus of claims 34-37, respectively, and are rejected using the same rationale.

16. **Regarding claim 52**, the claim contains substantially the same subject matter as claim 9, and is rejected using the same rationale.

17. **Regarding claim 53**, the claim contains substantially the same subject matter as claim 34, and is rejected using the same rationale.

18. **Regarding claims 54-57**, the claims are directed toward defining the invention's phonetic character string as characters for representing pronunciation of words. Levac discloses phonetic character strings used for pronunciation of words. Levac recites: *"Types of messages include text, voice, or text-to-speech messages"* (column 3, lines 62-63).

Response to Arguments

19.   Applicant's arguments filed 10/16/2006 have been fully considered but they are not persuasive.

20.   Regarding independent claim 9, applicant argues that *"nothing in this portion of Whitledge is seen to teach or suggest registered character strings ... being the same as character strings registered in a predetermined file"* (page 10, second paragraph, of the response filed 10/16/2006) and "regarding table 1 of Whitledge ... nothing therein is understood to teach or suggest other aspects of ... claim 9" (page 10, fifth paragraph of the response filed 10/16/2006). Whitledge teaches deleting registered character strings from a web page based upon character strings registered in a predetermined file. Whitledge disclose consulting a preference file where predetermined conversion preferences are stored. Whitledge recites: *"At Step 26, the content converter 16 consults the database 18 to obtain conversion preferences (e.g., conversion preferences to convert the original electronic document requested by the first network device 12 into a converted electronic document for the first network device 12). The conversion preferences can include any of user-preferences, device-conversion preferences, site-specific conversion preferences, or other preferences for content conversion"* (column 8, lines 5-13).

Whitledge's conversion process is embodied as a metadata object, wherein the metadata object includes delete capabilities on text based on

stored text. Whitledge recites: *"In an exemplary preferred embodiment of the present invention, a metadata object is a C++ object that conveys information such as request/response headers, conversion preferences and other information about a "databody" stored in a datapipe object. The datapipe object is also a C++ object. However, metadata objects and datapipe objects other than C++ objects could also be used. A databody is electronic document content such as hypertext markup languages (e.g., SGML, HTML, XML, VRML, etc.), text, graphical data, or graphics, animation, audio, video or other content that is stored in a datapipe object"* (column 10, lines 33-44).

Whitledge discloses the C++ object with delete capabilities in Table 1 (see column 11) where the sample code shown for the CCMetaData object includes a delete process. Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to combine the text deletion capabilities of Whitledge with the intelligent messaging system of Levac in order to provide *"a method and system for converting the content of electronic data for a desired network device"* (Whitledge, column 1, lines 18-19).

Conclusion

21.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

STEPHEN HONG
SUPERVISORY PATENT EXAMINER

Gregory J. Vaughn
Patent Examiner
December 22, 2006